

FORM PTO-1390
(REV. 07-2005)TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY DOCKET NUMBER

4439-4044

U.S. APPLICATION NO. (Indicate page 35, CFR 1.5)

TBA

EARLIEST PRIORITY DATE CLAIMED
15 December 2003INTERNATIONAL APPLICATION
PCT/JP2004/018646INTERNATIONAL FILING DATE
14 December 2004

TITLE OF INVENTION

Akt ACTIVITY SPECIFICALLY INHIBITING POLYPEPTIDE

APPLICANT(S) FOR DO/EO/US

Masayuki NOGUCHI, Futoshi OKADA, and Shin HIROMURA

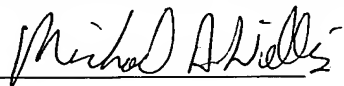
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected. (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto (Specification: 37 pgs.; Claims: 3 pgs.; Abstract: 1 pg.; and 5 Sheets of Formal Drawings (Figs. 1-13)).
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Forms PTO-1449A and PTO-1449B, with copies of 13 cited references.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821-1.825 with the paper copy of the sequence listings: 4 pgs. and Sequence Listing Statement.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or Information:

Copies of: PCT Request document; Forms: PCT/ISA/202; PCT/ISA/206; PCT/ISA/210; PCT/ISA/220; PCT/ISA/237; PCT/IB/301; PCT/IB/304; PCT/IB/307; PCT/IB/308; PCT/IB/311 and PCT/IB/345 published PCT application.

U.S. APPLICATION NO. 10/583058		INTERNATIONAL APPLICATION NO. PCT/JP2004/018646		ATTORNEY'S DOCKET NO. 4439-4044	
TBA					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200				\$ 200	
23. <input checked="" type="checkbox"/> Search fee If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500				\$ 400	
TOTAL OF 21, 22 and 23 =				\$ 900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$-----	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$-----	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	39 - 20 =	- 19	x \$50.00	\$ 950	
Independent claims	5 - 3 =	- 2	x \$200.00	\$ 400	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 360	
TOTAL OF ABOVE CALCULATIONS =				\$ 2,610	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$ 2,610	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	
TOTAL NATIONAL FEE =				\$ 2,610	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =					
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-4500 (Order No. 4439-4044)</u> in the amount of <u>\$2,610</u> to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-4500 (Order No. 4439-4044)</u>.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Enter Address Here Morgan & Finnegan, L.L.P. 3 World Financial Center New York, New York 10281-2101 Tel: (212) 415-8700 Fax: (212) 415-8701</p> <p style="text-align: right;">  Signature <u>Kenneth H. Sonnenfeld / Michael A. Willis</u> Name Registration Nos: 33,285 / 53,913 REGISTRATION NUMBER </p>					

10/583058

AP20 Rec'd PCT/PTO 14 JUN 2006

IN THE UNITED STATES

☐ RECEIVING OFFICE (RO/US)
☒ DESIGNATED OFFICE (DO/US)
☒ ELECTED OFFICE (EO/US)

INTERNATIONAL APPLICATION
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TITLE OF INVENTION
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APPLICANT(S) FOR DO/EO/US
Masayuki NOGUCHI, Futoshi OKADA, and Shin HIROMURA

Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

ATTN: DO/EO/US

**VERIFIED CERTIFICATION OF EXPRESS MAILING DATE
 (INTERNATIONAL APPLICATION (37 CFR 1.10(c)))**

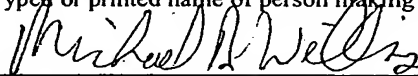
I declare that on **June 14, 2006**, I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number **EV 826870244 US**, addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: DO/EO/US and having an express mail certification which I executed, the following papers:

1. Transmittal Letter to the United States Designated/Elected Office;
2. English Translation of the International Application: (Specification: 37 pgs., Claims: 3 pgs.; Abstract: 1 pg.; and 5 Sheets of Formal Drawings (Figs.1-13));
3. Sequence Listing Statement;
4. Paper Copy of the Sequence Listing (4 pgs.) with a computer-readable form of the sequence listing;
5. Copies of: PCT Request document; Forms: PCT/ISA/202; PCT/ISA/206; PCT/ISA/210; PCT/ISA/220; PCT/ISA/237; PCT/IB/301; PCT/IB/304; PCT/IB/307; PCT/IB/308; PCT/IB311 and PCT/IB/345 published PCT application;
6. Information Disclosure Statement; Forms PTO-1449A and PTO-1449B with copies of 15 cited references; and
7. Return receipt postcard.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Michael A. Willis

(Typed or printed name of person making this verified statement)



(Signature of person making this verified statement)

June 14, 2006

Date

(Verified Certification of Express Mailing Date (International Application) [13-12])

iAP20 Rec'd PCT/PTO 14 JUN 2006

Attorney's Docket No. 4439-4044

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Masayuki NOGUCHI, Futoshi OKADA, and Shin HIROMURA

Filed: Herewith

Serial Number: TBA

For: Akt ACTIVITY SPECIFICALLY INHIBITING POLYPEPTIDE

Statement Under 37 C.F.R. §1.821(f) or §1.825(b)

Mail Stop PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that:

- [X] The paper Sequence Listing submitted herewith and computer readable Sequence Listing attached hereto are identical (37 C.F.R. §1.821(f)).
- [] The substitute paper Sequence Listing and substitute computer readable Sequence Listing submitted herewith are identical. No new matter is included (37 C.F.R. §1.825(b)).

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Date: 14 June 2006

By:



Kenneth H. Sonnenfeld / Michael A. Willis
Registrations Nos. 33,285/53,913

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